

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

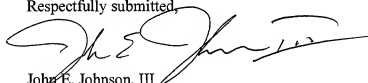
In re:	Chaudry	Confirmation No.:	9356
Appl. No.:	10/657,550	Group Art Unit:	1616
Filed:	09/04/2003	Examiner:	James Henry Alstraum Acevedo
For:	FORMULATIONS AND METHODS FOR TREATING RHINOSINUSITIS		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF TERMINAL DISCLAIMER
UNDER 37 C.F.R. § 1.321(c)

Applicant hereby submits the enclosed Terminal Disclaimer Under 37 C.F.R. § 1.321(c) for the above referenced application. The Examiner is authorized to charge the fee to the Deposit Account No. 16-0605.

Respectfully submitted,



John E. Johnson, III
Registration No. 58,367

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TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

I, John E. Johnson, III, am an attorney of record of the disclaimant, Dey L.P., and am authorized to execute this disclaimer on behalf of Dey L.P. The disclaimant, Dey L.P., having a principal place of business at 2751 Napa Valley Drive, Napa, California 94558, is the owner of all right, title, and interest in the above-identified application, by Assignment filed June 28, 2006, and recorded at Reel 017855, Frame 0227.

The disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of the following:

1. United States Serial No. 11/078,263, filed March 12, 2005, entitled *Formulations and Methods for Treating Rhinosinusitis*, which application was assigned to the above-identified Disclaimant by Assignment filed March 12, 2005 and recorded at Reel 016373, Frame 0019.

2. United States Serial No. 11/250,220, filed October 14, 2005, entitled *Nasal Pharmaceutical Formulations and Methods of Using the Same*, which application was assigned to the above-identified Disclaimant by Assignment filed February 17, 2006 and recorded at Reel 017270, Frame 0303.
3. United States Serial No. 11/250,925, filed October 14, 2005, entitled *Formulations and Methods for Treating Rhinosinusitis*, which application was assigned to the above-identified Disclaimant by Assignment filed February 17, 2006 and recorded at Reel 017270, Frame 0308.

Disclaimant further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Serial Nos. 11/078,263, 11/250,220, and 11/250,925, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application which is prior to the expiration of the full statutory term of U.S. Serial Nos. 11/078,263, 11/250,220, and 11/250,925 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(c), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its

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Application No.: 10/657,550
Filed: 09/04/2003
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statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

U.S. Serial Nos. 11/078,263 has been assigned to Dey L.P. Dey L.P. is wholly owned by Merck Patent GmbH. U.S. Serial Nos. 11/250,220 and 11/250,925 have been assigned to Merck Patent GmbH.

Respectfully submitted,



John E. Johnson, III
Registration No. 58,367

Date: September 24, 2007

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